

BBA.LL.B (HONS.) – VI-SEMESTER

ADMINISTRATIVE LAW

COURSE CODE:

Course Objective: The purpose of this Course is to make students aware of various aspects of administrative law including quasi-legislative, quasi-judicial and other ministerial functions of administration and control thereof.

Course Outcomes:

1. To understand the concept and evolution of Administrative law in India
2. To understand the Principles of Natural Justice
3. To differentiate legislative, executive and judicial functions
4. To analyse the concept of delegated legislations
5. To interpret and analyse administrative actions and its judicial review

Unit-I: Evolution and Scope of Administrative Law; Nature, Scope and Development of Administrative Law, Rule of law and Administrative Law, Separation of powers and its relevance, Relationship between Constitutional law and Administrative Law, Administrative Law vis-à-vis privatization, Classification of functions of Administration.

Unit-II: Legislative Functions of Administration, Necessity and Constitutionality, Forms and requirements, Control-Legislative, Judicial, Procedural; Sub-delegation

Unit-III: Judicial Functions of Administration-Need for devolution of adjudicatory authority on administration, Nature of tribunals-Constitution, powers, procedures, rules of evidence, Administrative Tribunals, Principles of Natural Justice, Rule against bias, Audi Alteram Partem, Reasoned decisions, Rules of evidence-no evidence, some evidence and substantial evidence, Institutional Decision.

Unit-IV: Administrative Discretion and Judicial Control of Administrative Action, Administrative Discretion, Need and its relationship with rule of law, Constitutional imperatives and exercise of discretion, Grounds of judicial review, Abuse of discretion, Failure to exercise discretion; Doctrine of legitimate expectations, Introduction, Court as the final authority to determine the legality of administrative action, Exhaustion of Administrative remedies.

UNIT-V: Methods of judicial review, Statutory appeals, Writs, Declaratory judgements and injunctions, Civil Suits for Compensation

Text Books:

1. M P Jain & S N Jain: Principles of Administrative Law, Lexis Nexis, Butterworths Wadhwa, Nagpur, 2018
2. IP Massey: Administrative Law, EBC, 2017
3. S P Sathe: Administrative Law, Lexis Nexis, Butterworths Wadhwa, Nagpur, 2010